

REMARKS

Under separate cover, the applicant has delivered a Letter to the Attention of the Office Draftsman which encloses a new set of formal drawings to replace the informal drawings previously filed. A copy of that letter is enclosed for the convenience of the Examiner.

Reconsideration is respectfully requested for Claims 17-21 and 23-26, as amended, said claims having been rejected under 35 U.S.C. 112. Each of these claims has been amended as suggested by the Examiner and it is therefore believed that said claims fully comply with 35 U.S.C. 112.

Claims 22 and 27-34 have been cancelled, without prejudice or disclaimer, but merely to narrow the issues involved in the further prosecution of this application.

Reconsideration is also requested for Claims 17-21 and 23-26, said claims having been rejected under 35 U.S.C. 103 based upon varying combinations of four United States patents, viz, U.S. Patent No. 5,906,371 to Peterson; U.S. Patent No. 5,660,389 to Freda, III; U.S. Patent No. 6,120,300 to Ho, et al; U.S. Patent No. 5,921,864 to Walker, et al, and with various of such U.S. patents being applied in view of the Links 386 CD Players Manual. These rejections are respectfully traversed.

As a starting point, it seems to be inappropriate for the Examiner to combine four or five references to reject any claim, because given enough references to combine, there is no invention which would ever be patentable under 35 U.S.C. 103. Quite aside from that, each of the claims has now been amended to call for the game pieces to move to a predetermined position, but for such game pieces to stay in that position only so long as the answer which is supplied is correct. The Examiner's attention is respectfully directed to page 5 of the applicant's specification, Lines 17-20, in which we find the following language:

"If the player answers the questions correctly, then he or she is allowed to stay on the new space and is given points. If the question is not answered correctly, then the player is moved back to the space 11 that it occupied before the die 12 was rolled."

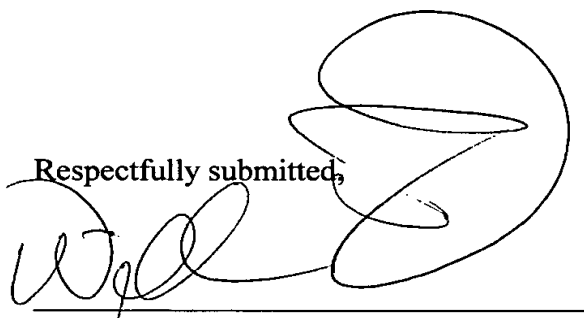
Therefore, the limitation which has been added to each of the Claims 1-21 and 23-27 does not constitute new matter but is fully described in the applicant's specification.

A careful reading of the cited patents and the Link's 386 CD Players Manual fails to provide any disclosure, teaching or even a suggestion of moving the player's game pieces with the asking of the question and then moving the player's pieces back to the previous location if the player's answer is incorrect. This is believed to be a novel feature and it is therefore

respectfully submitted that Claims 17-21 and 23-27 are patentable over the cited art and a favorable consideration of such claims is respectfully requested.

It is therefore submitted that this application with its Claims 17-21 and 23-27 are in prima facia condition for allowance and it is respectfully requested that this application be advanced to publication.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'W. E. Johnson, Jr.', is written over a horizontal line.

William E. Johnson, Jr.

Reg. No. 22,719

THE MATTHEWS FIRM (Cust. No. 021897)

1900 West Loop South, Suite 1800

Houston, Texas 77027

Telephone - (713) 355-4200

Facsimile - (713) 355-9689